

MEMO ENDORSED

Patterson Belknap Webb & Tyler LLP

1133 Avenue of the Americas New York, NY 10036-6710 212.336.2000 fax 212.336.2222 www.pbwt.com

May 13, 2019

Daniel Ruzumna
Partner
(212) 336-2034
Direct Fax (212) 336-1205
druzumna@pbwt.com

By ECF

Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

**Re: *United States v. Ahuja, et al.*,
18 Cr. 328 (KPF)**

Dear Judge Failla:

We write to respectfully request the Court's permission to submit what could be characterized as a "reply" to the Government's letter of this morning. The Government's letter responds to defendant Anilesh Ahuja's letter motion seeking to compel the Government to provide information and/or documents in connection with its Jencks Act disclosures. As counsel for Mr. Shor, we have not yet weighed in on these issues and would like to submit a short letter (no more than two pages) on the specific issue of the Government's refusal to produce grand jury testimony from non-percipient witnesses who summarized statements that fact witnesses made to the Government. For reasons that we would like to describe, we believe such testimony should be produced and can put in a short letter by the end of the day tomorrow, if not earlier.

Thank you in advance for your consideration of this matter.

Respectfully submitted,



Daniel S. Ruzumna

cc: Counsel of Record

Application GRANTED, with the understanding that this unconventional request will not become common practice. Mr. Shor shall submit a letter, not to exceed two pages, by **May 14, 2019, at 5:00 p.m.**

SO ORDERED.

Dated: May 13, 2019
New York, New York



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE